

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF

AUGUST 10, 2001

(Published August 18, 2001,
in *Finance and Commerce*)

Room 132 City Hall.

250 South 5th Street

Minneapolis, Minnesota

August 10, 2001 - 9:30 a.m.

Council President Cherryhomes in the Chair.

Present - Council Members Campbell, Biernat, Niland, Goodman, Colvin Roy, McDonald, Mead, Lane, Johnson, Ostrow, Council President Cherryhomes.

Absent - Thurber.

Campbell moved acceptance of the minutes of the regular meeting of July 27, 2001. Seconded.

Adopted upon a voice vote.

Campbell moved referral of petitions and communications and reports of the City officers to proper Council committees and departments. Seconded.

Adopted upon a voice vote.

PETITIONS AND COMMUNICATIONS

COMMUNITY DEVELOPMENT:

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (267153)

MCDA Residential Finance Dept: Informational report on programs.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (267154)

Upper River Area: Implementation structure.

Walker Art Center (725 Vineland Pl): Resolution authorizing preliminary & final approval to issue bonds for expansion.

COUNCIL MEMBER NILAND (267155)

City/County Task Force on Homeless Families Report & Recommendations.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (267156)

Hillcrest Development (900-6th Ave SE): Resolution adopting Redevelopment Plan & Tax Increment Finance Plan to renovate buildings, w/Attachment.

Industry Square Parcel A (2nd St between 3rd & 5th Aves): Request appropriation increase for architectural design work.

Tax Levy to Secure Industrial Development Bonds: Ordinance amending Title 16, Chapter 424 of the Mpls Code of Ordinances, correcting a typographical error in a 1992 ordinance which references a MCDA Board resolution.

GRANTS AND SPECIAL PROJECTS (267157)

Metropolitan Council Livable Communities Demonstration Account Applications: Request for clarification of City's priorities, submitting additional application of Urban Village Phase 2 and request for additional funding for Near Northside Redevelopment Project.

ELECTIONS (See Rep):

ELECTIONS DEPARTMENT (267158)

2001 Elections: Request to approve election judges and authorize Absentee Ballot Board.

HEALTH AND HUMAN SERVICES:

HEALTH AND FAMILY SUPPORT SERVICES (267159)

School Based Clinic Program: Request to update Joint Powers Agreement with State of Minnesota to purchase pharmaceuticals and allied products and services.

HEALTH AND HUMAN SERVICES and WAYS & MEANS/BUDGET (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (267160)

Youth Risk Behavior Funding (Tobacco Endowment Funded Activities): Accept \$110,127 from Minnesota Department of Health to purchase general health curriculum for Minneapolis public middle schools and for contracts with community based youth serving organizations to target non-tobacco risk behaviors of adolescents; and Approve appropriation.

2002-2003 Community Health Services Plan Update: Approve Plan Update for provision of Community Health Services in City of Minneapolis, and authorizing submission of an application for the Community Health Services Act Subsidy.

INTERGOVERNMENTAL RELATIONS:

LIAISON/FEDERAL, LOCAL AND STATE (267161)

2001 Legislative Summary.

Federal VA-HUD Spending Bill: Report on Congressional appropriations.

INTERGOVERNMENTAL RELATIONS (See Rep):

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (267162)

American Heritage River Initiative: Status report; Pass resolution supporting continued funding for Upper Mississippi River Navigator; Progress Report booklet.

REGULATORY SERVICES, ENVIRONMENTAL MANAGEMENT (267163)

St Anthony Falls Hydroelectric Project Relicensing: Authorize City Attorney to petition Federal Energy Regulatory Commission for intervenor status.

PUBLIC SAFETY AND REGULATORY SERVICES:

POLICE DEPARTMENT (267164)

National Night Out Barricades: Report back to Committee.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

LICENSES AND CONSUMER SERVICES (267165)

Westrum's Tavern (4415 Nicollet Av): Conditions on granting application for On-Sale Liquor Class E with Sunday Sales License; and Petition against license upgrade.

Licenses: Applications.

PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/BUDGET (See Rep):

ATTORNEY (267166)

Violence Against Women Act Grant: Accept grant award of \$66,482 from Minnesota Department of Public Safety to enhance investigation and prosecution of domestic violence crime; Execute contract with Domestic Abuse Project for advocate to assist with victim safety; Add .63 Assistant City Attorney I position to identify cases for investigation priority; and Approve appropriation.

POLICE DEPARTMENT (267167)

Curfew/Truancy Center: Accept donation of 2002 Ford Extended Passenger Van from Minneapolis Urban League to be assigned to Police Department fleet to be used to transport youth to school and home.

Minnesota COPS Grant: Accept grant award of \$125,000 from State of Minnesota to provide additional uniformed presence via patrols in high crime areas to be determined by Precinct Commanders.

School Liaison Officers: Execute contract with Special School District #1 to fund liaison officers in middle schools, high schools or selected K-8 schools through June 30, 2002.

REGULATORY SERVICES (267168)

Reimbursement to Local Governments for Emergency Response to Hazardous Substance Releases: Accept grant award of \$9,575.56 from United States Environmental Protection Agency for recovery of costs associated with pickup and disposal of gas cylinder on property at 3328 19th Av S; and Approve appropriation.

PUBLIC SAFETY AND REGULATORY SERVICES and ZONING AND PLANNING (See Rep):

LICENSES AND CONSUMER SERVICES (267169)

Great Brakes (3326 University Av SE): Revoke Motor Vehicle Repair Garage License for failure to complete site plan review process.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (267170)

Light Rail Transit: Preliminary design plans for 1st Av N to Northstar Corridor.

State Transportation Improvement Program: Proposed City comments.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PLANNING COMMISSION/DEPARTMENT (267171)

Nicollet Mall Light Rail Transit (LRT) Station: Options on aesthetic design.

PUBLIC WORKS AND ENGINEERING (267172)

900 Nicollet Mall Project: Grant approval to enter amendment to easement operations agreement to reflect changes in legal descriptions.

26th St & Hiawatha Av: Recommended intersection layout changes.

Water Works System Control & Data Acquisition (SCADA) Project: Amend contract with EMA Services to expand design project scope.

Relocation of Utilities in 5th St: Memorandum of Understanding with Municipal Building Commission to provide assistance to Public Works in relocating storm drains.

Encroachment Appeal: Request of Hunt Gregory for appeal hearing regarding staff denial of encroachments requested for E Bank Village Block One Development.

Ultrafiltration Membrane Project: Issue request for proposals for membrane plant.

Northside Sanitary Interceptor Project: Cooperative agreement with Metropolitan Council.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):

PUBLIC WORKS AND ENGINEERING (267173)

Extraordinary Salary Offers: Authorize up to Step 7 rate of pay to candidates for Engineer II and Engineer II 1/2 positions.

Cedar Isles Dean Neighborhood Traffic Calming: Install speed humps on various streets.

Areaway Abandonment at 115 Washington Av N: Petition of property owner, project cost estimate, order City Engineer to proceed with project and adopt special assessments.

Flood Mitigation Program Grants: Applications to Department of Natural Resources Flood Damage Reduction Grant Assistance Program for City flood mitigation projects.

Additional Sidewalk Work: Approve funding for work requested by Hennepin County Medical Center and increase contract with Standard Sidewalk to perform work.

Skyway between LaSalle Plaza and Hennepin at 10th Ramp: Amend previous authorization for skyway operations and maintenance agreement to add terms for City payment to LaSalle Associates for air rights.

PURCHASING (267174)

Bid: OP #5671, low bid of Spinello Companies for cleaning and lining of cast iron water main.

WAYS AND MEANS BUDGET:

CONVENTION CENTER (267175)

Convention Center Expansion Project: Receive and File change management actions.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (267176)

Settlement: Authorize settlement with Dennis C. Williams, Sr.

CONVENTION CENTER (267177)

Convention Center Expansion Project: Change Order to Contract with Gage Brothers Concrete Products, Inc.

Convention Center Expansion Project: Change Order to Contract with W. L. Hall Company.

Convention Center Expansion Project: Change Order to Contract with Minuti-Ogle Company, Inc.

Convention Center Expansion Project: Change Orders to Contract with Shaw-Lundquist Associates, Inc.

CONVENTION CENTER (267178)

Convention Center Expansion Project: Change Order to Contract with Marcy Construction Company.

Convention Center Expansion Project: Change Order to Contract with Kellington Construction, Inc.

Convention Center Expansion Project: Change Order to Contract with Harris Mechanical.

COORDINATOR (267179)

Minnesota Prevention and Intervention Initiative: Authorize Minneapolis Park & Recreation Board to submit four grant applications to State.

Citizen Survey: Contract with Marketline Research, Inc.

FINANCE DEPARTMENT (267180)

Utility Billing Insert: Approve insert informing residents that leaves and debris in streets negatively impact water quality of the City's lakes, rivers and streams.

HUMAN RESOURCES (267181)

Bilingual Program Aide: Salary Ordinance.

Donation Program for Serious Illness Guidelines: Approve amended policy.

ZONING AND PLANNING:

INSPECTIONS/ZONING ADMINISTRATOR (267182)

Bryn Mawr Nursing Home, 275 Penn Av N: Delete from agenda; Notice of hearing re violations of conditional use permits.

PLANNING COMMISSION/DEPARTMENT (267183)

Franklin Av Task Force Report.

ZONING AND PLANNING (See Rep):

HERITAGE PRESERVATION COMMISSION (267184)

University of St Thomas: Heritage Preservation Commission: Grant appeals for Certificates of Appropriateness to demolish 5 buildings [44 S 12th St (MinneStorage), 48 S 12th St (Humphrey Radiator Building), 36 S 12th St (Cavanaugh Apartments), 1112 Harmon Place (Milnor Garage aka Opening Night), 52 S 12th St (MacPhail Annex)], to build a parking ramp, and to build an interim surface parking lot in the block bounded by Harmon Place, S 12th St, LaSalle Av & S 11th St, all within the proposed Harmon Place Historic District, with attachments, map.

Planning Dept: Staff recommendation on appeals, map.

Faegre & Benson: Arguments for granting appeals, map; Letter to City Council Members dated 7/30/01; Informational handouts related to appeals; Comments of Shenehon Company, Braun Intertec Corp, University of St Thomas, Steven Kalin; Proposed resolution granting Certificates of Appropriateness.

INSPECTIONS/BOARD OF ADJUSTMENT (267185)

Moreno, Manuel, 3225 Pleasant Av: Board of Adjustment: Grant appeal for variance of garage size & driveway width; Reason for appeal; Minutes; Staff background report with findings & recommendation, maps, drawings, photos, comments of Lyndale Neighborhood Development Corporation. Manuel Moreno: Letter, drawings, photos.

PLANNING COMMISSION/DEPARTMENT (267186)

Keewaydin Auto (Paul & Gloria Spohn), 5022 34th Av S: Grant partial appeal on site plan conditions; grant appeal on side yard variances; Minutes; Staff report with findings & recommendation, maps, comments of Attorney Dan Biersdorf, Affidavits of Gloria Spohn, Samuel Bell, Gayle Gulbranson, comments of neighbors, photos, site plan drawings.

PLANNING COMMISSION/DEPARTMENT (267187)

Larson, James, 1805 3rd Av S: Passage of ordinance rezoning property; Staff report with findings & recommendation, maps, drawings, photos.

Slavec, Joseph & Gregory Reitan, 5700 Nicollet Av: Passage of ordinance rezoning property; Staff report with findings & recommendation.

Summary of Planning Commission actions of 7/23/01.

ZONING AND PLANNING and TRANSPORTATION & PUBLIC WORKS:

PUBLIC WORKS (267188)

Bassett Creek Valley Area: Analysis of preliminary soils reports.

COMMITTEE OF THE WHOLE:

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (267189)

Target Center (NBA Arena): Skyway level improvement plans. (See T&PW & W&M/Budget report).

PLANNING COMMISSION:

HOUSING PARTNERS II, LLC (267190)

Permission to vacate Southeasterly 2 feet of 2nd Av NE between University Av NE & 2nd St NE.

MOTIONS (See Rep*):

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (267191)

Lot Division: 1027 Essex St SE & 2112-4th St SE. *See motion following Comm Dev & W&M/Budget reports.

FILED:

ATTORNEY (267192)

Steven Tatro vs. City: Verbatim transcript of a portion of the Ways & Means/Budget Committee meeting of March 19, 2001.

CITY CLERK/SPECIAL PERMITS (267193)

2nd St N, 222 (Richard D Lappin) sidewalk sale;

16th & Hennepin (Basilica of St Mary) tent;

44th St E, 2701 (Lake Hiawatha Neighborhood Festival) pony rides;

Industrial Blvd, 650 (Attracta Sign Co) sign;

Lyndale Av S, 2723 (Mike Herdegen) sign;

Groveland, 510 (John C Block) horse & carriage;

Oliver N, 514 (David Crawford) move house;

Washington Av between Portland & 10th Av (Minnesota Vikings) tailgating.

XCEL ENERGY (267794)

Utilities: Authorize placement of poles at various locations.

**REPORTS OF
STANDING COMMITTEES**

The **COMMUNITY DEVELOPMENT** Committee submitted the following reports:

Comm Dev - Your Committee, having under consideration the matter of issuing revenue bonds to finance the initial phase of the Walker Art Center expansion project, which will include enhanced galleries and gardens, a technologically advanced studio or dance, music and theater programs, new media laboratory and visitor amenities at 725 Vineland Pl, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution granting preliminary and final approval to the issuance of up to \$11,425,000 in Tax-exempt Revenue Bonds for the Walker Art Center, as set forth in Petn No 267154.

Your Committee further recommends summary publication of the above-described resolution.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2001R-356, providing for the issuance and sale of up to \$11,425,000 Art Center Revenue Bonds for the Walker Art Center Project, 725 Vineland Pl, Series 2001 and authorizing execution and delivery of various documents, was passed August 10, 2001 by the City Council and approved August 16, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2001R-356
By Niland**

Providing for the issuance and sale of up to \$11,425,000 Art Center Revenue Bonds for the Walker Art Center Project, Series 2001 and authorizing execution and delivery of various documents.

Resolved by The City Council of The City of Minneapolis:

1. **Authority.** This City is, by the Constitution and Laws of the State of Minnesota, including Sections 469.152 to 469.165, Minnesota Statutes, as amended (the "Act"), authorized to issue and sell its revenue bonds for the purpose of financing and refinancing the cost of acquisition and construction of authorized projects and to enter into contracts necessary or convenient in the exercise of the powers granted by the Act. The application to the Commissioner of Trade and Economic Development for approval of the Project described below is hereby approved. The application to the Commissioner of Trade and Economic Development shall be submitted to the Commissioner in substantially the form on file.

2. **Authorization of Bonds.** The City hereby determines that it is necessary and expedient to authorize, and the City does hereby authorize, the issuance and sale of the City's Art Center Revenue Bonds (Walker Art Center Project), Series 2001 (the "Series 2001 Bond" or the "Bonds") pursuant to the Act to provide money to be loaned to Walker Art Center, a Minnesota nonprofit corporation (the "Borrower") in the aggregate principal amount of up to Eleven Million Four Hundred Twenty-five Thousand Dollars (\$11,425,000) to finance costs of acquiring real estate for the expansion of Walker Art Center (the "Project") to be owned and operated by the Borrower.

3. **Documents Presented.** Forms of the following documents relating to the Bonds and the Project have been prepared or reviewed by Faegre & Benson LLP as bond counsel, and submitted to the City and are now on file in the office of the Minneapolis Community Development Agency;

(a) Loan Agreement (the "Loan Agreement") dated as of September 1, 2001, between the City and the Borrower, whereby the City agrees to make a loan of the proceeds of the Bonds to the Borrower to

finance the Project and the Borrower agrees to pay amounts sufficient to provide for the full and prompt payment of the principal of, premium, if any, and interest on the Bonds;

(b) Trust Indenture (the "Trust Indenture") dated as of September 1, 2001, between the City and a bank or trust company (the "Trustee"), pledging the revenues to be derived from the Loan Agreement as security for the Bonds, and setting forth proposed recitals, covenants and agreements relating thereto;

(c) Bond Purchase Agreement (the "Bond Purchase Agreement") among the City, the Borrower and U.S. Bancorp Piper Jaffray, Inc. (the "Underwriter"); and

(d) Preliminary Official Statement (the "Preliminary Official Statement"), from which an Official Statement pertaining to the Bonds will be generated (this document and the Official Statement not to be executed by the City).

4. **Findings.** It is hereby found, determined and declared that:

(a) The Project furthers the purposes and policies of the Act;

(b) The City held a public hearing on July 30, 2001 relating to the Project, and in the opinion of bond counsel, based on representations of the Borrower, the Series 2001 Bonds will be qualified Section 501(c)(3) bonds within the meaning of Section 145 of the Code the interest on which will be exempt from Federal income tax;

(c) The representations of the City in Section 2.01 of the Indenture are true and correct;

(d) The Loan agreement provides for payments by the Borrower to the Trustee for the account of the City of such amounts as will be sufficient to pay the principal of and interest on the Bonds when due. The Loan Agreement obligates the Borrower to provide for the operation and maintenance of the Project Facilities, including adequate insurance, taxes and special assessments. The Loan Agreement further provides for the payment of fees to the City as set forth therein;

(e) The Borrower has approved and requested the City to accept the proposal of the Underwriter to purchase the Bonds on the terms set forth herein and in the Bond Purchase Agreement, and the proposal appears feasible and reasonable;

(f) The Bonds are, and are hereby designated to be, program bonds as defined in Resolution No. 88R-021 of the City Council adopted January 29, 1988, and as amended by Resolution 97R-402 of the City adopted December 12, 1997; and

(g) Under the provisions of Section 469.162 of the Act and as provided in the Loan Agreement and Trust Indenture, the Bonds are not to be payable from nor charged upon any funds other than amounts payable pursuant to the Loan Agreement and moneys in the funds and accounts held by the Trustee which are pledged to the payment thereof; the City is not subject to any liability thereon; no holders of the Bonds shall ever have the right to compel the exercise of the taxing power of the City to pay any of the Bonds or the interest thereon, nor to enforce payment thereof against any property of the City; the Bonds shall never constitute an indebtedness of the City, within the meaning of any constitutional, statutory or charter limitation and shall not constitute nor give rise to a pecuniary liability of the City or a charge against its general credit or taxing powers; the Bonds shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the City; and each Bond issued under the Trust Indenture shall recite that the Bond, including interest thereon, shall not constitute nor give rise to a charge against the general credit or taxing powers of the City and does not grant to the owner or holder of any Bond the right to have the City levy taxes or appropriate any funds for the payment of principal thereof or the interest or premium, if any, thereon and the Bond is not a general obligation of the city or individual officers or agents thereof.

5. **Approval and Execution of Documents.** The forms of Indenture, Loan Agreement and Bond Purchase Agreement referred to in paragraph 3 are approved and upon approval of the Project by the Commissioner of Trade and Economic Development, shall be executed in the name and on behalf of the City by the Mayor and attested by the Clerk and Finance Officer or the officers authorized to act on behalf of the foregoing officers, in substantially the form on file, but with all such changes therein, not inconsistent with the Act or other law, as may be approved by the officers executing the same, which approval shall be conclusively evidenced by the execution thereof. The Bonds shall be executed as provided by the Indenture. Such approval is conditioned on the average interest rate on the Bonds not exceeding 6.00% per annum.

6. **Certifications.** The officers of the City are authorized and directed to prepare and furnish to Faegre & Benson LLP, bond counsel, to the Borrower, to the Underwriter and to counsel for the Borrower

and the Underwriter, certified copies of all proceedings and records of the City relating to the Project and the Bonds, and such other affidavits and certificates as may be required to show the facts appearing from the books and records in the officers' custody and control or as otherwise known to them; and all such certified copies, certificates and affidavits, including any heretofore furnished, shall constitute representations of the City as to the trust of all statements contained therein.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001. J. Cherryhomes, President of Council.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev - Your Committee recommends approval of the implementation structure for the Upper River area, including creation of a Citizens Advisory Committee, an Implementation Committee, and a staff Technical Advisory Committee, as set forth in Petn No 267154.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency (MCDA).

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev - Your Committee, having under consideration the report of the City/County Task Force on Homeless Families (Petr No 267155), now recommends adoption of the following legislative, system and housing creation recommendations:

Legislative Recommendations:

1. Support the use of TANF funds to conform with federal regulations so that emergency assistance could be used more than once a year.
2. Reduce rental property tax rates and index 4D rates without shifting the tax burden to low-income homeowners. Equalize rental and owner burdens, including property taxes, fees, assessments, etc.
3. Increase appropriations and create state financial incentives for the preservation and development of affordable housing, supportive and transitional housing, and emergency shelters. Support state (MHFA) and federal (HUD) preservation incentives.
4. Increased appropriations for housing should be targeted to families with incomes up to 50% of the median household income in the metro area, with priority to families with incomes up to 30% of the median household income in the metro area.
5. Minnesota's MA (Medical Assistance) Rehab Option should apply to the broadest possible population allowed under federal program requirements. This includes the endorsement of state presumptive eligibility for MA (The MA Rehab Option pays for support services and case management).
6. Increase service and operating funding to programs and facilities, including homeless prevention, affordable housing, supportive and transitional housing and emergency shelters.
7. The legislature should look into developing a system of unique identifiers for tenants so records are not confused with others; for example, on tenant screening reports.
8. The legislature should provide better tools for local government to encourage or require the development of affordable housing as part of the general development within a local jurisdiction. It should also provide regulatory relief to developers and provide incentives for businesses to provide affordable housing near jobs.
9. Preserve Payment in Lieu of Taxes (PILOT) and current tax treatment for nonprofits.
10. The state legislature should provide low income tax credits to developers of affordable housing.
11. Reduce or eliminate the capital gains taxes on affordable housing units sold to owners who will keep the units affordable.
12. Create a new funding mechanism, or fund an existing mechanism, with excess FHA and Fannie Mae mortgage insurance funds to finance affordable housing.

System:

13. Create a blended system of service funding.
14. Improve intra-departmental communication and collaborative responses within Hennepin County.
15. Provide training to provider groups on child protection issues and reporting.
16. Clarify the amount of earnings that families must apply toward the cost of shelter.
17. Provide provider groups with training on reunification services and resources.
18. Require developers to submit affordable housing impact statements.
19. Include affordable housing as a purpose for zoning. Allow local controls to require affordable housing. Allow local government to provide incentives for affordable housing.
20. Give local housing authorities a first-purchase option for surplus and tax forfeited land if the land is going to be used for affordable housing.
21. Support the work of RHAM (Rental Housing Alliance of Minnesota) and others on tenant certification.
22. Implement an indemnification fund to encourage property owners to rent to high-risk tenants.
23. Create a partnership on the hard-to-house.
24. Support month-to-month leases for units rented under the Section 8 program.
25. Shelters should have Project Secure (a pre-school program.)
26. Explore housing options for children.
27. Create a UD initiative to help people with poor housing court records.
28. Create a partnership to address transportation difficulties.
29. Review the membership of the Hennepin County Shelter Advisory Board to make sure that family service providers, communities of color and homeless people are adequately represented.

Housing Creation:

30. Explore alternative housing options.
31. Develop 665 new housing units targeted to families below 30% of median family income.
32. Develop 665 new units of supportive housing, short-term and long-term.
33. Establish opportunities for community organizations and employers to develop housing and provide support services.
34. Create incentives for businesses to build affordable housing near jobs.
35. Create incentives for neighborhood acceptance of higher density rental housing and supportive housing.
36. Encourage communities to develop affordable rental housing by providing incentive funds.
37. Sell tax-forfeited and surplus land at a reduced price to cities for affordable housing.
38. Give density bonuses for development that includes affordable housing.
39. Set aside at least 20% of new housing developments for affordable housing.

Adopted. Yeas, 10; Nays, 1 as follows:

Yeas - Biernat, Niland, Goodman, Colvin Roy, McDonald, Mead, Lane, Ostrow, Campbell, Cherryhomes.

Nays - Johnson.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **COMMUNITY DEVELOPMENT** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

Comm Dev & W&M/Budget - Your Committee, having under consideration the proposal by Hillcrest Development to rehabilitate the interior and exterior of multiple buildings at 900 - 6th Ave SE for use by Thymes Inc, and having held a public hearing thereon, now recommends passage of the accompanying resolution approving the Redevelopment Plan and Tax Increment Finance Plan for 900 - 6th Ave SE, as set forth in Petn No 267156.

Your Committee further recommends summary publication of the above-described resolution.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.
Passed August 10, 2001.
Approved August 16, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

Resolution 2001R-357, adopting the 900 - 6th Ave SE Redevelopment Plan and the 900 - 6th Ave SE Tax Increment Finance Plan for the proposed rehabilitation of multiple buildings by Hillcrest Development was passed August 10, 2001 by the City Council and approved August 16, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2001R-357

By Niland and Campbell

Adopting the 900 - 6th Avenue Southeast Redevelopment Plan and the 900 - 6th Avenue Southeast Tax Increment Finance Plan.

Resolved by The City Council of The City of Minneapolis:

Section 1. Recitals.

1.1. Pursuant to Laws of Minnesota 1980, Chapter 595, as amended, and the Minneapolis Code of Ordinances, Chapter 422, as amended, the Housing and Redevelopment Authority in and for the City of Minneapolis has been reorganized, granted additional powers, and designated the Minneapolis Community Development Agency (the "Agency") with the authority to propose and implement redevelopment projects and tax increment financing ("TIF") districts, among other things, all pursuant to Minnesota Statutes, Sections 469.001 to 469.068, 469.109 to 469.134, 469.152 to 469.165, and 469.174 through 469.179 as amended, except Sections 469.033, Subdivision 6, and 469.060.

1.2. It has been proposed that the Agency prepare the 900 6th Avenue Southeast Redevelopment Plan and the 900 6th Avenue Southeast TIF Plan (the "Plans") to provide the legal authority for the creation of a new redevelopment project, and a new TIF district, which Plans reflect the establishment of objectives for the redevelopment of the project, designation of project boundaries, identification of land uses, and a budget for public redevelopment costs, all pursuant to and in accordance with Minnesota Statutes, Sections 469.001 through 469.047 and 469.174 through 469.179, as amended.

1.3. The Agency has prepared, and this Council has examined the proposed Plans that describe more precisely the activities to be undertaken, the public costs, the designation of the project area, objectives for the redevelopment of the project area, including land uses for the redevelopment of the project area, a budget for expenditures, and the facts supporting the Plans. The Council has reviewed the legal authorization to establish a new TIF district for this project, and to authorize public redevelopment activities and expenditures necessary to assist this project. Anticipated public redevelopment activities include interior and exterior building rehabilitation, environmental/remediation, administration and other related activities, all pursuant to and in accordance with Minnesota Statutes, Sections 469.001 through 469.047 and 469.174 through 469.179, as amended.

1.4. The Agency and the City have performed all actions required by law to be performed prior to the adoption of the Plans, including, but not limited to, a review of the proposed Plans by the affected neighborhood groups and the Planning Commission, transmittal of the proposed Plans to the Hennepin County Board of Commissioners and the School Board of Special School District No 1 for their review and comment, and the holding of a public hearing after published and mailed notice as required by law.

1.5. The 900 6th Avenue Southeast TIF District is being established within and under the authority of the 900 6th Avenue Southeast Redevelopment Project.

Section 2. Findings for the Adoption of the Plans.

2.1. The Council hereby finds, determines and declares that the Plans will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment of the Project Area and TIF District by private enterprise as the proposed redevelopment removes blight, remediates pollution, enhances the city's tax base, and will serve as an impetus for redevelopment of neighboring

industrial buildings and will provide a growing business with room to expand while remaining in Minneapolis.

2.2. The Council further finds, determines and declares that the Plans conform to the general plan for the development or redevelopment of the City as a whole. Written comments of the Planning Commission and Ways & Means/Budget Committee with respect to the Plans were issued, are incorporated herein by reference, and are on file in the office of the City Clerk.

2.3. The Council further finds, determines and declares that the proposed redevelopment would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future, and the use of tax increment financing is deemed necessary because financial assistance is required to redevelop an old industrial building into a modern office and production facility for the Thymes Limited. The current market pricing of a redeveloped building in this neighborhood does not justify the project costs required. But for the existence of TIF, this project is not supported by existing market economics. Further, the TIF will be the impetus for the redevelopment project. The surrounding neighborhood is experiencing decay which is typical of an old industrial district. The tax increment will be used to assist in revitalization of the neighborhood which has strong locational attributes relative to proximity from downtown and public transportation alternatives. The project will rehabilitate blighted buildings, create living wage jobs in former vacant and underutilized structures, result in increased taxes, eliminate inconsistent industrial uses, result in environmental cleanup, and increase the City's economic competitiveness. Further, the TIF Act requires that a potential TIF district must also pass a new market value test in order to make a finding that development could not occur without tax increment assistance. The calculations necessary to pass this test are contained on page 12 of the TIF plan. As shown there, the public redevelopment activity, expenditures, and market values associated with the redevelopment that is proposed in this TIF plan results in a series of calculations and figures that clearly pass the market value test, as the increased market value of the site that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in the market value estimated to result from the proposed development after subtracting the present value of the projected tax increments for the maximum duration of the TIF District permitted by the Plans. Therefore, it is the opinion of the City of Minneapolis that the proposed redevelopment project to be financed, in part, by this TIF District would not occur solely through private investment within the foreseeable future.

2.4. The Council further finds, determines and declares that the property to be included in the Project Area meets the statutory definition of a blighted area due to the presence of vacant and underutilized land, functionally obsolete and hazardous structure(s), contains asbestos materials, lead based paint and is in need of new roofing, electrical, plumbing, mechanical and blacktop activities, contains deleterious land use, and other factors, which have prevented normal development. The proposed district also consists of property that is vacant, unused, underused, inappropriately used, or infrequently used railyards, rail storage facilities, or excessive or vacated railroad rights-of-way. Therefore, it is found that the building is substandard as defined in Minnesota Statutes, Section 469.002, Subdivision 11 and Section 469.174, Subdivision 10 and the reasons and supporting facts for these determinations are retained and available from the Agency.

2.5. The Council further finds, determines and declares that the objectives and actions authorized by the Plans are all pursuant to and in accordance with Minnesota Statutes, Sections 469.001 through 469.047 and Sections 469.174 through 469.179, as amended.

2.6. The Council further finds, determines and declares that the municipality elects the method of tax increment computation set forth in Minnesota Statutes, Section 469.177, Subdivision 3(a), and that it is the intent of the City and Agency that any fiscal disparity contribution required of the City for development occurring within this District be taken from outside this District.

2.7. The Council further finds, determines and declares that it is necessary and in the best interests of the City at this time to approve the Plans.

Section 3. Approval of the Plans; Creation of Project and District.

3.1. Based upon the findings set forth in Section 2 hereof, the Plans presented to the Council on this date are hereby approved and shall be placed on file in the office of the City Clerk.

3.2. Based upon the findings set forth in Section 2 hereof, the 900 6th Avenue Southeast Redevelopment Project is hereby created and established.

3.3. Based upon the findings set forth in Section 2 hereof, the 900 6th Avenue Southeast TIF District is hereby created and established.

Section 4. Implementation of the Plans.

4.1. The officers and staff of the City and the Agency, and the City's and the Agency's consultants and counsel, are authorized and directed to proceed with the implementation of the Plans, and for this purpose to negotiate, draft, prepare and present to this Council for its consideration, as appropriate, all further plans, resolutions, documents and contracts necessary for this purpose.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001. J. Cherryhomes, President of Council.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee, having under consideration development of Parcel A in Industry Square and the requirement of a public plaza and pedestrian/biker trail connecting the Third Avenue and Second St S area to the river, now recommends passage of the accompanying resolution increasing the Minneapolis Community Development Agency (MCDA) appropriation in Fund CPP0 (Preliminary Planning) by \$60,000 to fund the hiring of a design architect to prepare preliminary design plans; coordinate information with MCDA, the State Historical Preservation Office, the Minnesota Department of Transportation, Heritage Preservation Commission, and the City; and to prepare a Project Memorandum (environmental assessment document) that will meet the requirement of Federal TEA-21 funding.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-358

By Niland and Campbell

Amending The 2001 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund CPP0 - Preliminary Planning by \$60,000 from current fund balance.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001. J. Cherryhomes, President of Council.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee, to whom was referred an ordinance amending Title 16, Chapter 424 of the Minneapolis Code of Ordinances relating to *Planning and Development: Tax Levy to Secure Industrial Development Bonds*, correcting a typographical error in a 1992 ordinance which references Minneapolis Community Development Agency Board of Commissioners resolution 92-813M instead of 92-815M, now recommends that said ordinance be given its second reading for amendment and passage.

Niland moved to amend the report by adding the following paragraph: "Your Committee further recommends summary publication of the above-described ordinance." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.
Yeas, 11; Nays none.
Absent - Thurber.
Passed August 10, 2001.
Approved August 16, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-093 amending Title 16, Chapter 424 of the Minneapolis Code of Ordinances relating to *Planning and Development: Tax Levy to Secure Industrial Development Bonds*, correcting a typographical error in a 1992 ordinance which references Minneapolis Community Development Agency Board of Commissioners resolution 92-813M instead of 92-815M, was passed August 10, 2001 by the City Council and approved August 16, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2001-Or-093
By Goodman
Intro & 1st Reading: 7/27/2001
Ref to: Comm Dev
2nd Reading: 8/10/2001

**Amending Title 16, Chapter 424 of the Minneapolis Code of Ordinances
relating to Planning and Development: Tax Levy to Secure Industrial
Development Bonds.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 424.10(b) of the above-entitled ordinance be amended to read as follows:

424.10. Findings. (a) The city is authorized under Minnesota Laws of 1980, Chapter 595, Section 3, by ordinance upon request of the Minneapolis Community Development Agency (the "agency"), to pledge the full faith and credit of the city to the repayment of bonds issued by the agency.

(b) The agency has indicated that the agency intends to issue from time to time various series of common fund bonds (as defined in Resolution No. 82-512 of the agency, as amended and as defined in Resolution No. ~~92-813M~~ 92-815M of the agency, as amended) and has requested that the city adopt an ordinance exercising the authority granted by section 3 of Chapter 595.

(c) The city has determined that it is in the public interest to enhance the security and marketability of certain series of common fund bonds by making available the city's taxing power in the limited manner set forth in this chapter for said purpose, thereby achieving the public purposes of the city and the agency and preserving the credit of the city.

Section 2. That Section 424.20 of the above-entitled ordinance be amended to read as follows:

424.20. Pledge and limitation. The city hereby pledges and agrees with the agency for the benefit of the holders from time to time of certain series of common fund bonds designated under section 424.60 of this chapter (such series of common fund bonds so designated are referred to hereinafter as the "bonds") to annually levy and collect ad valorem taxes in an amount not to exceed the product of one-half per cent and the tax capacity of all property subject to ad valorem taxes in the city in accordance with this chapter for the payment of principal, interest and redemption price (as defined in Resolution No. 82-512 of the agency, as amended and as defined in Resolution No. ~~92-813M~~ 92-815M of the agency, as amended) of the bonds and the maintenance of a tax reserve fund (as defined in section 424.80). All taxes collected by the city pursuant to the levy pledged pursuant to this section 424.20 shall be deposited in the tax reserve fund. The city shall under no circumstances be compelled to exercise its taxing powers in respect of the bonds to any extent in excess of the foregoing limitation in any one fiscal year of the city, and the pledge made hereunder shall be deemed a full faith and credit pledge of the city only to the extent provided in this chapter.

Section 3. That Section 424.30 of the above-entitled ordinance be amended to read as follows:

424.30. Levy and collection. The city hereby pledges and agrees with the agency for the benefit of the holders from time to time of the bonds to annually levy and collect the taxes described in section 424.20 of this chapter whenever the amounts available in the tax reserve fund are insufficient to satisfy the tax reserve fund requirement (as defined in section 424.90) provided, however, that no levy for this purpose shall be made unless the IDB account (as defined in Resolution No. 82-512 of the agency, as amended and as defined in Resolution No. ~~92-813M~~ 92-815M of the agency, as amended) has been fully depleted. An IDB account shall be fully depleted for this purpose only when no cash, investments or approved letters of credit (as defined in Resolution No. 82-512 of the agency, as amended and as defined in Resolution No. ~~92-813M~~ 92-815M of the agency, as amended) remain on deposit therein. The city may elect to reduce or prevent any particular required levy by providing monies as described in section 424.110 of this chapter.

Section 4. That Section 424.60 of the above-entitled ordinance be amended to read as follows:

424.60. Continuation of application of this chapter. The city agrees to continue to levy and collect the taxes pledged hereunder as required under the terms of this chapter so long as any bonds are outstanding (as defined in Resolution No. 82-512 of the agency, as amended and as defined in Resolution No. ~~92-813M~~ 92-815M of the agency, as amended).

Section 5. That Section 424.80 of the above-entitled ordinance be amended to read as follows:

424.80. Tax reserve fund. There is hereby created a separate fund of the city to be titled "Minneapolis Community Development Agency Common Bond Fund Tax Reserve Fund" (the "tax reserve fund"). The tax reserve fund shall be maintained by the city until no bonds remain outstanding. Monies in the tax reserve fund shall be paid to the trustee (as defined in resolution No. 82-512 of the agency, as amended and as defined in Resolution No. ~~92-813M~~ 92-815M of the agency, as amended) for the payment of principal, interest or the redemption price of bonds when the trustee has notified the city that without such payment principal, interest or the redemption price would not be paid when due under the terms of the bonds or would continue past due.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001. J. Cherryhomes, President of Council.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee recommends that the report passed on June 22, 2001 relating to authorizing submission of a list of City priorities for the Livable Communities Demonstration Account (LCDA) proposals to the Metropolitan Council (Petr No 267023), now recommends that said list be amended to include the Urban Village Phase II project under the "Medium Priority Projects" for funding in the amount of \$500,000.

Your Committee further recommends that the proper City officers be authorized to request additional funding in the amount of \$500,000 for the Near Northside Redevelopment project, previously listed under "High Priority Projects."

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Niland moved passage of the accompanying resolution approving the lot division at 1027 Essex St SE and 2112 - 4th St SE, and waiving the requirement of a subdivision plat and directing that a copy of the resolution be attached to the deeds conveying the subdivided parcels, as set forth in Petr No 267191.

Further, that the above-described resolution be authorized for summary publication. Seconded.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2001R-359, approving the subdivision of the lots at 1027 Essex Street SE and 2112 – 4th Street SE was passed August 10, 2001 by the City Council and approved August 16, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2001R-359
By Niland

Approving the subdivision of the lots at 1027 Essex Street SE and 2112 – 4th Street SE.

Whereas, the Minneapolis Community Development Agency (MCDA) has requested that two parcels of land legally described as:

PID 30-029-23-22-0070 (1027 Essex St SE) - that part of Lots 1 and 11, Block 27, Regents Addition lying Easterly of the Northerly extension of the East line of Block 31 of said Addition; and

PID 30-029-23-22-0069 (2112 - 4th St SE) - that part of the 100 foot Railroad right of way across the NW ¼ of Section 30, Township 029, Range 23, which lies southerly of 4th Street SE and Northerly of Essex Street SE, also that part of Lot 2, Block 22, Regents Addition lying Northwesterly of a line run from a point on the Northeasterly line of said Lot 2 distant 45 feet Southeasterly from the Northwest corner thereof to a point on the Southwesterly line of said Lot 2 distant 50 feet Southeasterly from said Northwest corner and there terminating, except that part of said 100 foot right of way described as beginning at the intersection of the Northerly line of Washington Avenue SE and the Easterly line of said Railroad right of way, thence Northerly along said Easterly line 188.42 feet, thence South 65 degrees 14 minutes 45 seconds West a distance of 3 feet, thence Southeasterly parallel with said Easterly line 187.15 feet to the Northerly line of Washington Avenue SE, thence Easterly 3.17 feet to the point of beginning, also except that part of said 100 foot right of way described as beginning at the intersection of the Easterly line of said right of way with the Northerly line of Essex Street SE, thence Northwesterly along said Northerly line 30.5 feet, thence Northeasterly on a line run perpendicular to said Northerly line of Essex Street SE to its intersection with said Easterly line of Railroad right of way thence Southeasterly to the point of beginning, be subdivided as follows:

That part of Huron Boulevard formerly the C. M. and St. P. Railway (Spur to St. Anthony Mills) and Lot 1, Block 27, Regents Addition according to the recorded plat, which lies north and east of the following desired line: Beginning at the most southerly corner of the westerly line of Block 28, of said Regents Addition; thence North 60 degrees 30 minutes 39 seconds West on an assumed bearing along the prolongation of the southwesterly line of said Block 28, a distance of 28.40 feet; thence westerly along a tangential curve, concave to the south, radius 371.95 feet, Central angle 20 degrees 02 minutes 09 seconds, 130.07 feet; thence North 1 degree 39 minutes 33 seconds East 165.91 feet; thence northwesterly along a tangential curve, concave to the west, radius 368.94 feet, central angle 20 degrees 17 minutes 48 seconds, 130.70 feet to a point on the westerly line of said Block 28.

Excepting that part of the following described parcel of land lying Easterly of a line described as beginning at a point on the Northeasterly line of Essex Street distant 30.50 feet Northwesterly of the intersection of said Northeasterly line of Essex Street and the Northeasterly line of the Soo Line Railroad Company's former right-of-way; thence Northeasterly 24.93 feet on a line that is perpendicular to said Northeasterly line of Essex Street to said Northeasterly line of the Soo Line Railroad Company's former right-of-way and said line there terminating; and

Whereas, the MCDA intends to convey the subdivided parcels listed above to the owner of the adjacent property with the following parcels:

Commencing at a point on the Northeasterly line of Lot 10, Block 28, Regent's Addition which is 24.2 feet distant from the Northeasterly corner of said lot; thence in a southwesterly direction parallel with 26th Avenue Southeast, 100 feet to the point of beginning; thence in a Southeasterly direction parallel with Delaware Street Southeast to a point 8 ½ feet distant from the center of that certain spur track for the Chicago, Milwaukee & St. Paul Railroad Company now running lengthwise across Lot 11 of said Block 28 of Regent's Addition; thence in a Southwesterly and Southerly direction parallel with and 8 1/2 feet distant in a Northwesterly and Westerly Direction from a line midway between and parallel to

the rails of said spur track across Lots 11, 3 and 2 of said Block 28, to the Southwesterly line of said Lot 2; thence along the Southwesterly line of Lots 2 and 3 of said Block 28 in a Northwesterly direction to a point in a line 8 ½ feet distant in a Easterly and Southeasterly direction from a line running midway between and parallel to the rails of that certain spur track of the Chicago, Milwaukee and St. Paul Railroad Company now running across Lots 3, 4 and 10 in said Block 28; thence from said point along the line in which it is located in a Northerly and Northeasterly direction across Lots 3, 4 and 10 to the point of beginning;

Parcel 2: That part of Lot 10, Block 28, Regent's Addition, described as follows: Commencing at a point on the Northeasterly line of Lot 10, Block 28, Regent's Addition, 4 feet distant from the Northeasterly corner of said Lot 10; thence in a Southwesterly direction parallel with Twenty-Sixth Avenue Southeast, 100 feet to a point; thence in a Northwesterly direction parallel with Delaware Street Southeast to a point 8 ½ feet, distant from the center of that certain spur track of the Chicago, Milwaukee and St. Paul Railway Company now running lengthwise through and across Lots 3, 4 and 10 of said block; thence in a Northeasterly direction parallel with and 8 ½ feet, distant in an Easterly and Southeasterly direction from a line running midway between and parallel to the rails of said spur track now running through and across said Lots 3, 4 and 10, to the intersection of said line with Northeasterly line of Lot 10; thence along said Northeasterly line of said Lot 10 in Southeasterly direction to the place of beginning;

Also, Lots 5 and 9 in said Block 28, Except the Northwesterly 5 feet thereof;

Also that part of Lots 23, 4 and 10 in said Block 28 lying Northerly and Westerly of a line running parallel to and 8 ½ feet distant in an Easterly and Southeasterly direction from a line running midway between and parallel to the rails of that certain spur track of the Chicago, Milwaukee and St. Paul Railway now running through and across said Lots 3, 4 and 10 in said block;

Also that part of the following described parcel of land lying Easterly of a line described as beginning at a point on the Northeasterly line of Essex Street distant 30.50 feet Northwesterly of the Intersection of the said Northeasterly line of Essex Street and the Northeasterly line of the Soo Line Railroad Company's former right-of-way; thence Northeasterly 24.93 feet on a line that is perpendicular to said Northeasterly line of Essex Street to said Northeasterly line of the Soo Line Railroad Company's former right-of-way and said line there terminating;

That part of the Northwest Quarter of Section 30; Township 29, Range 23, Hennepin County, Minnesota described as follows:

Commencing at the intersection of the Southwesterly line of the Soo Line Railroad and the Southerly line of Washington Avenue Southeast; thence South 24 degrees 45 minutes 15 seconds East, assumed bearing, along said Southwesterly line a distance of 802.89 feet to the point of beginning of land to be described; thence North 0 degrees 01 minutes 28 seconds West a distance of 157.90 feet; thence Northerly a distance of 159.70 feet along a tangential curve to the West, having a radius of 370.00 feet and a central angle of 24 degrees 43 minutes 47 seconds to the Northeasterly line of said Soo Line Railroad; thence South 24 degrees 45 minutes 15 seconds East along said Northeasterly line a distance of 443.28 feet to the Northeasterly line of Essex Street; thence North 64 degrees 01 minutes 28 seconds West along the Northeasterly line of Essex Street a distance of 157.96 feet to the Southwesterly line of said Soo Line Railroad; thence North 24 degrees 45 minutes 15 seconds West a distance of 12.80 feet along said Southwesterly line to the point of beginning;

Parcel 3: All of Lots 1, 12 and 13, and that part of Lots 2, 3, 10 and 11, Block 28 Regent's Addition to Minneapolis described as beginning at a point on the Northeasterly line of said Lot 10, distance 4 feet Northwesterly of the most Easterly corner of said Lot 10; thence Southwesterly parallel with the Southeasterly line of said Block 28 a distance of 100 feet; thence Southeasterly parallel with the Northeasterly line of said Lots 10 and 11 a distance of 50.22 feet; thence Southwesterly, deflection 89 degrees 47 minutes to the right 83.63 feet; thence Southwesterly 147.61 feet along a tangential curve to the left, having a radius of 479.96 feet, to a point in the Southwesterly line of said Block 28; thence Southeasterly along the Southwesterly line of said Lot 2 to the most Southerly corner of said Lot 2; thence Northeasterly along the Southeasterly line of said Lot 2 to the most Easterly corner of said Lot 2; thence Northwesterly along the Northeasterly line of said Lot 2 to the most Northerly corner of said Lot 2; thence Northeasterly along the Southeasterly line of said Lot 11 to the most Easterly corner of said Lot 11; thence Northwesterly along the Northeasterly line of said lots 11 and 10 to the point of beginning, according to the recorded plat thereof; and

Whereas, the proposed subdivision conforms with Minnesota Statutes Section 462.358 and Land Subdivision Regulations adopted by the Minneapolis City Council on July 14, 1995 in that it is a minor subdivision by the City of Minneapolis to convey portions of excess right-of-way owned by the City to adjacent property owners and exempt from the provisions of Chapter 598 of the Minneapolis Code of Ordinances;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the division of the above described property be approved and the requirement of a subdivision plat be waived.

Be It Further Resolved that a certified copy of this resolution shall be attached to the deed conveying the subdivided parcel.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001. J. Cherryhomes, President of Council.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **ELECTIONS** Committee submitted the following report:

Elections - Your Committee recommends approval of the appointment of Election Judges for elections in Year 2001 as set forth in Petn No 267158 on file in the office of the City Clerk, in accordance with Chapter 2, Section 6, of the Charter of the City of Minneapolis.

Your Committee further recommends authorization to establish an Absentee Ballot Board pursuant to Minnesota Statutes, Section 203B.13.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **HEALTH & HUMAN SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

H&HS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to accept \$110,127 in Youth Risk Behavior funds from the State of Minnesota, Department of Health, as part of the tobacco endowment funded activities targeting the non-tobacco risk behaviors of adolescents for the purchase of a general health curriculum for Minneapolis public middle schools and for contracts with community based youth serving organizations during the period July 1, 2000 through December 31, 2001.

Your Committee further recommends passage of the accompanying Resolution appropriating \$110,127 to the Health & Family Support Agency to reflect receipt of said grant funds.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-360

By Lane and Campbell

Amending The 2001 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Health & Family Support Agency in the Grants - Other Fund (060-860-8623) by \$110,127 and increasing the Revenue Source (060-860-8623 - Source 3215) by \$110,127.

Adopted. Yeas, 11; Nays none.
Absent - Thurber.
Passed August 10, 2001. J. Cherryhomes, President of Council.
Approved August 16, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

H&HS & W&M/Budget - Your Committee recommends passage of the accompanying Resolution approving the 2002-2003 Plan Update for Provision of Community Health Services in the City of Minneapolis as recommended by the Public Health Advisory Committee, and authorizing submission of an application for the Community Health Services Act Subsidy.

Adopted. Yeas, 11; Nays none.
Absent - Thurber.
Passed August 10, 2001.
Approved August 16, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-361
By Lane and Campbell

Approving the 2002-2003 Plan Update for Provision of Community Health Services in the City of Minneapolis as recommended by the Public Health Advisory Committee, and authorizing submission of an application for the Community Health Services Act Subsidy.

Resolved by The City Council of The City of Minneapolis:

That the 2002-2003 Community Health Services (CHS) Plan Update for the City of Minneapolis is approved, as set forth in Petn No 267160 on file in the Office of the City Clerk.

Be It Further Resolved that the Commissioner of Health & Family Support is hereby authorized to submit an application for the Community Health Services Act subsidy, in the amount of \$1,772,509 for 2002 and \$1,772,509 for 2003 according to the 2002-2003 CHS Plan Update to be submitted to Hennepin County for inclusion in the Hennepin County-wide CHS Plan Update to be sent to the Minnesota Department of Health.

Be It Further Resolved that the City Council assumes the responsibility for the implementation of the Community Health Services Act as reflected in the CHS Plan Update for the City of Minneapolis.

Be It Further Resolved that the Commissioner of Health & Family Support will function as the authorized official for administering the CHS plan and funds, and the Minneapolis Department of Health & Family Support will function as the local community health services agency for the City of Minneapolis. The Commissioner of Health & Family Support is authorized to approve revisions in the programs and budgets contained in the plan, consistent with State rules regarding CHS Plan revisions.

Adopted. Yeas, 11; Nays none.
Absent - Thurber.
Passed August 10, 2001. J. Cherryhomes, President of Council.
Approved August 16, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

The **INTERGOVERNMENTAL RELATIONS** Committee submitted the following reports:

IGR - Your Committee recommends that the City Attorney be authorized to make a motion before the Federal Energy Regulatory Commission requesting intervention in the relicensure application of Northern States Power Company (d/b/a Xcel Energy) for a hydropower facility at St. Anthony Falls on the Mississippi River for Project No. 2056-016.

Adopted. Yeas, 11; Nays none.
Absent - Thurber.

Passed August 10, 2001.

Approved August 10, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published August 14, 2001)

IGR - Your Committee recommends passage of the accompanying resolution supporting continuation of the American Heritage River Initiative and requesting ongoing sponsorship of the Upper Mississippi River Navigator by the U.S. Army Corps of Engineers. (Petn No 267162)

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-362

By Thurber

Supporting continuation of the American Heritage River Initiative and requesting ongoing sponsorship of the Upper Mississippi River Navigator by the U.S. Army Corps of Engineers.

Whereas, Minneapolis has been actively pursuing revitalization of its segment of the Mississippi River for decades; and

Whereas, many positive changes have occurred along the River, including conversion of industrial land to parks and trails, preservation of historic buildings, environmental improvements and creation of new housing, yet challenges remain which will require the support and participation of numerous partners; and

Whereas, the American Heritage River Initiative (AHRI) was established by President Clinton in 1997 and the Upper Mississippi River was designated as one of 14 American Heritage Rivers in 1998; and

Whereas, as part of the AHRI program, a federal Navigator has been appointed for each of the designated rivers to provide technical assistance and referrals; and

Whereas, the Navigator for the Upper Mississippi River has been sponsored by the U.S. Army Corps of Engineers; and

Whereas, the Upper Mississippi River Navigator has provided valuable support and assistance to riverfront revitalization efforts along the Upper Mississippi River, including Minneapolis.

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

1. The City of Minneapolis supports continuation of the American Heritage River Initiative Program as a tool to support and encourage ongoing revitalization of the Mississippi River in Minneapolis.

2. The City of Minneapolis expresses its appreciation to the U.S. Army Corps of Engineers for its sponsorship of the Upper Mississippi River Navigator and respectfully requests the Corps to continue its sponsorship.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001. J. Cherryhomes, President of Council.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

PS&RS - Your Committee, to whom was referred an ordinance amending Title 5, Chapter 109 of the Minneapolis Code of Ordinances relating to *Building Code: Signs and Billboards*, repealing sections governing special signage restrictions within Minneapolis commercial corridors/nodes, now recommends that said ordinance be given its second reading for amendment and passage.

Your Committee further recommends summary publication of the above-described ordinance.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.
Passed August 10, 2001.
Approved August 16, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-094 amending Title 5, Chapter 109 of the Minneapolis Code of Ordinances relating to *Building Code: Signs and Billboards*, repeals the following Sections:

Section 109.165. Designated commercial nodes restricted;
Section 109.170. Signs over Nicollet Avenue restricted;
Section 109.180. Lake Calhoun restricted.
Section 109.190. Signs over Central Avenue restricted.
Section 109.200. Dinkytown signs restricted.
Section 109.205. Signs over West Broadway restricted;
Section 109.210. Nonconforming signs.

Said ordinance was passed August 10, 2001 by the City Council and approved August 16, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2001-Or-094
By Ostrow
Intro & 1st Reading: 7/13/2001
Ref to: PS&RS
2nd Reading: 8/10/2001

Amending Title 5, Chapter 109 of the Minneapolis Code of Ordinances relating to Building Code: Signs and Billboards.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 109.165 of the above-entitled ordinance be and is hereby repealed.

109.165. Designated commercial nodes restricted. (a) No person shall erect, construct, place or install any new or additional sign, nor any lights, lighting devices or reflectors, marquees or illuminated or nonilluminated canopies less than twenty-five (25) feet above the sidewalk, whether attached to a sign or not which projects into a sidewalk, street, alley or public place within any comprehensive plan designated commercial nodes at or along the intersections of 50th Street and Bryant Avenue South, 50th Street and Penn Avenue South, 50th Street and Xerxes Avenue South, and 50th Street and France Avenue South.

(b) Exceptions. This provision shall not apply to signs, lights, lighting devices or reflectors that are placed flat against a building, no part of which projects more than one foot from such building; neither shall it apply to marquees properly installed in accordance with the provisions of sections 95.10, 95.80 and 95.85; nor to signs installed in or upon such marquees in accordance with the requirements of section 109.430; neither shall it apply to the signs on fixed awnings in accordance with the provisions of section 109.430; and neither shall it apply to signs on fixed canopies, whether illuminated or nonilluminated in accordance with the provisions of sections 109.420 and 109.430, provided such illuminated canopies and lighting affixed thereto are also approved by Underwriters' Laboratory (U.L.).

Section 2. That Section 109.170 of the above-entitled ordinance be and is hereby repealed.

109.170. Signs over Nicollet Avenue restricted. (a) No person shall place, keep, use or maintain upon Nicollet Avenue, from Third Street to Twelfth Street South, any sign which overhangs any sidewalk, street, alley or public place within said area.

(b) No person shall build, use, keep or maintain any sign whatever in the above-described area, except signs that are placed flat against a building, no part of which project more than one foot from the building.

(c) No person shall place, keep, use or maintain upon Nicollet Avenue, from Washington Avenue to Grant Street, any new or additional sign, nor any lights, lighting devices or reflectors less than twenty-five (25) feet above the sidewalk, whether attached to a sign or not, which were not in use in the said area prior to May 13, 1955, and which overhang any sidewalk, street, alley or public place within the said area, except signs, lights, lighting devices or reflectors that are placed flat against a building, no part of which projects more than one foot from the building.

Section 3. That Section 109.180 of the above-entitled ordinance be and is hereby repealed.

109.180. Lake Calhoun restricted. No person shall erect, construct, place or install any new or additional sign, nor any lights, lighting devices or reflectors less than twenty-five (25) feet above the sidewalk, whether attached to a sign or not, which projects into a sidewalk, street, alley or public place within the area bounded by and including the east side of Dupont Avenue South on the east and East Calhoun Boulevard and Calhoun Drive on the west, and including the south side of West Thirty-first Street on the south and the Chicago, Milwaukee, St. Paul and Pacific railroad tracks (between Twenty-eighth and Twenty-ninth Streets) on the north. However, this provision shall not apply to signs, lights, lighting devices or reflectors that are placed flat against a building, no part of which projects more than one foot from such building; neither shall it apply to marquees properly installed in accordance with the provisions of sections 95.10, 95.80 and 95.85, nor to signs installed in or upon such marquees in accordance with the provisions of section 109.430; and neither shall it apply to signs on fixed awnings or canopies in accordance with the provisions of section 109.430.

Section 4. That Section 109.190 of the above-entitled ordinance be and is hereby repealed.

109.190. Signs over Central Avenue restricted. (a) No person shall erect, construct, place or install any new or additional sign that overhangs any sidewalk, street or public place upon Central Avenue Northeast, from the center line of Eighteenth Avenue Northeast on the south, to Thirty-sixth Avenue Northeast on the north.

(b) However, this provision shall not apply to signs, lights, lighting devices or reflectors that are placed flat against a building, no part of which projects more than fifteen (15) inches from such building onto Central Avenue.

(c) No existing sign or lights, lighting devices or reflectors that project more than fifteen (15) inches onto Central Avenue shall be structurally altered or moved within the above-described area; provided that such signs requiring structural alterations may be altered to comply with the regulations applicable to new signs or be removed. Requests for change of copy shall not be approved until the sign, upon which change of copy is requested, complies with the provisions applicable to new signs.

(d) All signs and all lights, lighting devices and reflectors that project more than fifteen (15) inches onto Central Avenue within the above-described area, and any billboards or ground signs that extend over the city property line within the above-described area, shall be removed on or before May 1, 1977; provided, that the city council, upon petition, may for good cause shown, grant one extension of up to one year.

Section 5. That Section 109.200 of the above-entitled ordinance be and is hereby repealed.

109.200. Dinky town signs restricted. (a) No person shall erect, construct, place or install upon Fourth Street Southeast, Fifth Street Southeast, and University Avenue Southeast, from Fifteenth to Thirteenth Avenues Southeast, or upon Fifteenth, Fourteenth and Thirteenth Avenues Southeast from University Avenue Southeast to Fifth Street Southeast, any new or additional sign, nor any light, lighting device or reflector which overhangs in excess of one foot any sidewalk, street, area; nor shall this provision apply to signs otherwise required by this Code. However, this restriction shall not apply to fixed awnings or canopies, nor to the nonadvertising signs that may be displayed thereon.

(b) No new permitted sign within said area which overhangs in excess of one foot any sidewalk, street, alley or public place shall contain any graphic symbols, numerals or lettering other than those necessary to display the business name or any graphic symbols other than those necessary to depict the nature of the business.

(c) No existing sign or lights, lighting devices or reflectors that would otherwise be prohibited by subsection (a) shall be altered or moved within such area.

(d) All signs, lights, lighting devices and reflectors which overhang or project in excess of one foot any sidewalk, street, alley or public place within said area and any billboards, roof signs or ground signs that extend into the public right-of-way shall be removed on or before January 1, 1978; provided, that the city council, upon petition, may for good cause shown grant one extension of up to six (6) months.

Section 6. That Section 109.205 of the above-entitled ordinance be and is hereby repealed.

109.205. Signs over West Broadway restricted. ~~(a) No person shall erect, construct, place or install any new or additional sign that overhangs any sidewalk, street or public place upon West Broadway from the Mississippi River on the east to the city limits (Xerxes Avenue North) on the west.~~

~~(b) However, this provision shall not apply to signs, lights, lighting devices or reflectors that are placed flat against a building, no part of which projects more than fifteen (15) inches from such building onto West Broadway.~~

~~(c) No existing sign or lights, lighting devices or reflectors that project more than fifteen (15) inches onto West Broadway shall be structurally altered or moved within the above-described area; provided that such signs requiring structural alterations may be altered to comply with the regulations applicable to new signs or be removed. Requests for change of copy shall not be approved until the sign, upon which change of copy is requested, complies with the provisions applicable to new signs.~~

~~(d) All signs and all lights, lighting devices and reflectors that project more than fifteen (15) inches onto West Broadway within the above-described area, and any billboards or ground signs that extend over the city property line within the above-described area, shall be removed on or before January 1, 1989, provided that the city council, upon petition, may for good cause shown, grant one extension of up to one year.~~

Section 7. That Section 109.210 of the above-entitled ordinance be and is hereby repealed.

109.210. Nonconforming signs. ~~No sign erected on the same building before May 13, 1955, shall be rebuilt, altered or moved to a new location without being brought into compliance with the requirements of this chapter. However, when an approved sign is relocated on the same building, for the same owner, such projection over public property will be allowed to the same extent as existed at the original location, but not to within less than eighteen (18) inches from the outer curbline.~~

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001. J. Cherryhomes, President of Council.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the application of Minds Eye Inc, dba Rubies/ Ruby's Cafe, 1614 Harmon Pl, for an On-Sale Liquor Class E with Sunday Sales License (new business) to expire July 1, 2002, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the application of Tuttle Inc, dba Elsie's, 729 Marshall St, for an On-Sale Liquor Class E with Sunday Sales License (sidewalk cafe expansion) to expire July 1, 2001, and a Sidewalk Cafe License (new business) to expire April 1, 2002, and having held a public hearing thereon, now recommends that said licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the application of Marimar Inc, dba Cafe Marimar, 5001 34th Av S, for an On-Sale Wine Class E with Strong Beer License (new business) to expire April 1, 2002, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 11; Nays none.
Absent - Thurber.
Passed August 10, 2001.
Approved August 10, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.
(Published August 14, 2001)

PS&RS - Your Committee, having under consideration the application of Westrum's Tavern, Inc, dba Westrum's Tavern, 4415 Nicollet Av, for an On-Sale Liquor Class E with Sunday Sales License (new proprietor and upgrade from On-Sale Wine Class E with Strong Beer) to expire April 1, 2002 and a Sidewalk Cafe License, now recommends that said licenses be granted, subject to the following conditions:

a. that in the event that a majority of the residents living on the west side of the 4400 block of 1st Av S and on the east side of the 4400 block of Nicollet Av S are in favor of the installation of seasonal speed bumps in the alley at the rear of said address, then the applicant shall bear all costs associated with the installation, maintenance and removal of said speed bumps.

b. that the applicant will work with the Department of Public Works to install larger "Children at Play" warning signs for the alley and will bear all costs relating to the preparation and installation of said signs.

c. that the applicant will hire a dedicated security person to monitor the rear parking area on all Friday and Saturday nights that the applicant's business is in operation. Monitoring the parking area will be the security person's prime area of responsibility, with duties inside the premises to be kept at a minimum. The security person will perform his/her duties from 10:00 p.m. until the last person or vehicle has left the parking lot.

d. that the applicant will post a sign, to be approved by the Director of Licenses & Consumer Services, in the rear parking lot that requests patrons to be respectful and considerate of neighbors and to quietly leave the parking area.

e. that the rear doors to the applicant's premises shall be kept closed except for when being used for entry, exit or reception of deliveries.

f. final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee recommends granting the following applications for liquor, wine and beer licenses:

On-Sale Liquor Class A with Sunday Sales, to expire October 1, 2001

International Catering Inc, dba Atrium Cafe, 275 Market St (temporary expansion of premises, August 4, 2001, 4:45 p.m. to 8:00 p.m.);

Old Chicago Colorado Inc, dba Uptown Art Fair, 2841 Hennepin Av (temporary expansion of premises with outdoor entertainment, August 3, 4 & 5, 2001);

On-Sale Liquor Class B with Sunday Sales, to expire July 29, 2001

Caboose Enterprises Inc, dba Caboose, 913 Cedar Av (temporary expansion of premises, July 29, 2001, 10:00 a.m. to 10:00 p.m., Annual Hog Feed);

On-Sale Liquor Class B with Sunday Sales, to expire September 8, 2001

Campus Partners Inc, dba Sallys Saloon & Eatery, 712 Washington Av SE (temporary expansion of premises with entertainment, September 8, 2001, 6:00 p.m. to 10:00 p.m.);

On-Sale Liquor Class E with Sunday Sales, to expire July 1, 2002

Ramez Enterprises Inc, dba Arone's Bar, 500 Central Av SE (change in ownership from Arone's Bar Inc);

Liquor Bottle Club, to expire April 1, 2002

Ames Lodge #106, dba Elk's Lounge, 1614 Plymouth Av;

Cato Shrine Grand Temple, dba Ancient Arabic Order Nobles, 2223 Golden Valley Rd;

Latvian House Inc, dba Latvian House, 2337 Central Av NE;
Johnnie Baker American Legion Post 291, dba Johnnie Baker American Legion Post 291, 3010 4th Av S;

Star Spangled Banner Post #1149, dba Veterans of Foreign Wars, 3016 17th Av S;
Vincent Giantvalley Post #234, dba American Legion Dept of Minnesota, 3751 Minnehaha Av;
Spruce Tree Lounge Inc, dba Spruce Tree Lounge, 3836 4th Av S;
Wold-Chamberlain Post #99, dba American Legion, 5600 34th Av S;

Temporary On-Sale Liquor

Uptown Association, dba Uptown Art Fair, 1422 W Lake St (August 3, 2001, Noon to 7:30 p.m., August 4, 2001, 10:00 a.m. to 7:30 p.m., and August 5, 2001, 10:00 a.m. to 7:00 p.m.; Licensed Facilitator: Old Chicago Uptown);

Minneapolis Mounted Patrol, dba Minneapolis Mounted Patrol, 81 S 9th St (August 26, 2001, 11:45 a.m. to 8:00 p.m. at Nicollet Mall, 9th to 12th Sts; Licensed Facilitator: The Local);

Off-Sale Beer, to expire April 1, 2002

Skoda Linda M, dba Sam's Market, 4760 Chicago Av (new proprietor);
Speedway Super American LLC, dba Super America #4384, 5 E Franklin Av;
Diamond Lake Inc, dba Sullivan's Super Valu, 30 W Lake St;
Tom Thumb Food Markets Inc, dba Tom Thumb Store #234, 150 2nd Av S;
Emporio Inc, dba Center Village Shop, 700 5th Av S;
Bauers Food Market Inc, dba City Market, 1240 Hennepin Av;
Crown Coco Inc, dba Broadway E-Z Stop Store, 1617 Broadway St NE;
Crown Coco Inc, dba Old Colony EZ Stop, 1624 Washington Av N;
Top Stop Corporation, dba Top Stop, 1818 Lowry Av N;
Speedway Super America LLC, dba Super America #4024, 2501 Hennepin Av;
Hammad Food Inc, dba More Valu Food, 2600 Cedar Av;
Tom Thumb Food Markets Inc, dba Tom Thumb #282, 2951 Central Av NE;
Wadi Rami A, dba Best Food Market, 3756 Nicollet Av;
Taylor-Wood Inc, dba Jubilee Foods, 5025 34th Av S;

Temporary On-Sale Beer

Church of the Holy Cross, dba Church of the Holy Cross, 1621 University Av NE (September 15, 2001, 4:00 p.m. to 10:00 p.m. and September 16, 2001, Noon to 8:00 p.m.);

American Indian Business Development Corporation, dba American Indian Business Development Corporation, 1113 E Franklin Av (July 20, 2001); and

Church of the Annunciation, dba Church of the Annunciation, 509 W 54th St (August 18, 2001, 4:00 p.m. to 10:30 p.m.).

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee recommends granting the following applications for business licenses as per list on file and of record in the Office of the City Clerk under date of August 10, 2001, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 267165):

Building Contractor Class B; Cement Finishing Contractor; Concrete Masonry Contractor Class A; Dancing School; Drywall Contractor; Place of Entertainment; Special Late Night Entertainment; Confectionery; Drive In Food; Grocery; Food Manufacturer; Meat Market; Mobile Food Vendor; Restaurant; Food Shelf; Short Term Food Permit; Seasonal Short Term Food; Sidewalk Cafe; Vending Machine; Gas Fitter Class A; Motor Vehicle Dealer Auctioneer; Motor Vehicle Dealer - Cycles & Motorbikes; Motor Vehicle Dealer - Used Only; Motor Vehicle Repair Garage; Motor Vehicle Used Parts Dealer; Plumber; Precious Metal Dealer; Recycling/Salvage Yard; Secondhand Goods Class B; Antique Dealer Class B; Swimming Pool - Public; Taxicab Vehicle; Theater Zone I; Tobacco Dealer; Tree Servicing; Valet Parking.

Adopted. Yeas, 11; Nays none.
Absent - Thurber.
Passed August 10, 2001.
Approved August 16, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

PS&RS - Your Committee recommends granting the following applications for gambling licenses, subject to final inspection and compliance with all provisions of the applicable codes and ordinances:

Gambling-Lawful Class B

Washburn Amateur Hockey Association, dba Washburn Amateur Hockey Association, 5246 14th Av S (Site: 5-8 Club, 5800 Cedar Av S);

Washburn Amateur Hockey Association, dba Washburn Amateur Hockey Association, 5246 14th Av S (Site: Knight Cap Bar, 1500 4th St NE);

Washburn Amateur Hockey Association, dba Washburn Amateur Hockey Association, 5246 14th Av S (Site: Penn Station, 2204 44th Av N);

Gambling Lawful Exempt

Twin Cities Ruffed Grouse Society, dba Twin Cities Ruffed Grouse Society, 1732 Dry Creek Rd, St. Croix Falls, WI (Raffle August 28, 2001 at Radisson Metrodome, 615 Washington Av SE);

Holy Rosary Church, dba Holy Rosary Church, 2424 18th Av S (Raffle October 7, 2001);

Park Nicollet Health Services, dba Park Nicollet Health Services, 6500 Excelsior Blvd, St. Louis Park (Raffle October 20, 2001 at Hilton Hotel Minneapolis, 1001 Marquette Av); and

Theatre Live Inc, dba Theatre Live Inc, 36 S 9th St (Raffle August 15, 2001 at Bravo Restaurant & Events Center, 900 Hennepin Av).

Adopted. Yeas, 11; Nays none.
Absent - Thurber.
Passed August 10, 2001.
Approved August 16, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

PS&RS & W&M/Budget - Your Committee, having under consideration the Curfew Truancy Center, now recommends that the proper City Officers be authorized to accept a donation of a 2002 Ford E350 extended passenger van, valued at \$21,965, from the Minneapolis Urban League which will be assigned to the Police Department fleet to be used as a Curfew/Truancy Van to transport youth to school and home.

Adopted. Yeas, 11; Nays none.
Absent - Thurber.
Passed August 10, 2001.
Approved August 16, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to accept a two-year grant award of \$125,000 in COPS Overtime Grant funds from the State of Minnesota to provide additional uniformed presence via patrols in high crime areas to be determined by Precinct Commanders.

Adopted. Yeas, 11; Nays none.
Absent - Thurber.
Passed August 10, 2001.
Approved August 16, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to execute a contract with the Minneapolis Board of Education, Special School District #1, in an amount

not to exceed \$601,137, to provide Police Department Liaison Officers in middle schools, high schools or selected K-8 schools during the period July 1, 2001 to June 30, 2002, payable with revenues collected from a crime levy tax levied for taxes payable in calendar year 2001.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee, having submitted a grant application for Reimbursement to Local Governments for Emergency Response to Hazardous Substance Releases under CERCLA Section 123, now recommends that the proper City Officers be authorized to accept a grant award of \$9,575.56 from the United States Environmental Protection Agency for recovery of costs associated with pickup and disposal of a gas cylinder on the property at 3328 19th Av S.

Your Committee further recommends passage of the accompanying Resolution appropriating \$9,575.56 to the Licenses & Consumer Services Agency to reflect receipt of said grant funds.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-363
By Biernat and Campbell

Amending The 2001 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Licenses & Consumer Services Agency in the Grants - Federal Fund (030-835-8396) by \$9,575.56 and increasing the Revenue Source (030-835-8396 - Source 3210) by \$9,575.56.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001. J. Cherryhomes, President of Council.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee, having submitted a grant application seeking funding under the Violence Against Women Act Grant to enhance the investigation and prosecution of domestic violence crime by providing victim safety/offender risk assessments, evaluating cases for prosecution, and providing advocacy services to victims, as well as providing training to 60 patrol officers, with 12 officers assigned to each precinct to ensure that there is a constant resource for patrol officers who have questions related to domestic abuse issues, now recommends the following:

a. that the proper City Officers be authorized to accept a grant award of \$66,482 from the State of Minnesota, Department of Public Safety, Office of Crime Victim Services;

b. that the proper City Officers be authorized to execute a contract with the Minneapolis Domestic Abuse Project to provide an advocate to assist with victim safety by identifying victims at high risk and assisting with safety needs;

c. approve the addition of a temporary .63 Full-Time Equivalent (FTE) Assistant City Attorney I position for the duration of the grant to identify cases for investigation priority where the victim is at high risk; and

d. passage of the accompanying Resolution appropriating \$18,000 to the Police Department Agency and \$48,682 to the Attorney Agency to reflect receipt of said grant funds.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.
Passed August 10, 2001.
Approved August 16, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-364
By Biernat and Campbell

Amending The 2001 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended as follows:

a. increasing the appropriation for the Police Department Agency in the Grants - Federal Fund (030-400-C105) by \$18,000 and increasing the Revenue Source (030-400-C105 - Source 3210) by \$18,000; and

b. increasing the appropriation for the Attorney Agency in the Grants - Federal Fund (030-140-1410) by \$48,682 and increasing the Revenue Source (030-140-1410 - Source 3210) by \$48,682.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001. J. Cherryhomes, President of Council.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **ZONING & PLANNING** Committees submitted the following report:

PS&RS & Z&P - Your Committee, having under consideration Site Plan Review Permit SP-44 to allow an automobile repair facility at 3326 University Av SE, on file in the Zoning Office, and having under consideration the Motor Vehicle Repair Garage License held by Worku Weldegebrief, dba Great Brakes, Inc., and having held hearings to determine whether the terms of said permit have been violated and whether the licensee has met the requirements of Minneapolis Code of Ordinances, Chapter 259 relating to *Licenses and Business Regulations: In General* and Chapter 317 relating to *Licenses and Business Regulations: Motor Vehicle Repair Garages*, now recommends that SP-44 and the business license be revoked.

Biernat moved that the report be postponed. Seconded.

Adopted upon a voice vote.

The **TRANSPORTATION & PUBLIC WORKS** Committee submitted the following reports:

T&PW – Your Committee, having under consideration the 900 Nicollet Project and the City's position as a party to the Reciprocal Easement and Operations Agreement (REOA), now recommends that the City grant its approval to enter into the First Amendment to the REOA. Said amendment is required because legal descriptions have changed as a result of the relocation of some of the boundaries in the as-built condition of the project and will also provide other clarifications as outlined in Petn No 267172.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration the intersection of 26th St and Hiawatha Av and having been informed that the intersection is operating with significant congestion during peak hours and modifications to the intersection should be planned in conjunction with light rail transit construction in the area, now recommends approval of the staff recommendation for the layout of said intersection

with direction to the City Engineer to work with the Hiawatha Project Office (HPO) to develop the final design, cost estimate and right-of-way plan consistent with said design.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration the Water Works System Control and Data Acquisition (SCADA) project, now recommends that the contract with EMA, Inc. (Contract #C98-13127) be amended to provide for expansion of the scope of work to include current and potential design enhancements, with a cost increase up to an additional \$988,960. The contract increase is payable from the existing project budget.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration the relocation of storm drain utilities in 5th St in preparation for the light rail transit project, now recommends that the proper City officers be authorized to execute a Memorandum of Understanding with the Municipal Building Commission (MBC) that will allow them to assist the Public Works Department, Field Services Division, in said relocation activities.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration an appeal filed by Hunt-Gregory Development of the decision of the Public Works Engineering Services Division denying two encroachment permit requests for the East Bank Village Block One development as follows:

1. Outswinging door on the St. Anthony Fire Barn and Fire Barn Annex for Fire Barn Associates, UC; and

2. Two story bay windows on the apartment portion of the Apartment/Retail Building for the East Bank Village Apartments, UP;

now recommends that said appeal be granted and both encroachment permits be issued, with a requirement that elements be added to shield the door area from pedestrians and that the Fire Department review the requests.

Adopted. Yeas, 10; Nays, 1 as follows:

Yeas - Biernat, Niland, Goodman, Colvin Roy, McDonald, Mead, Johnson, Ostrow, Campbell, Cherryhomes.

Nays - Lane.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration the Nicollet Mall Light Rail Transit (LRT) Station project and having received a report outlining options for a scheme for the station design (Petn No 267171), now recommends that the scheme entitled “The Wave” be identified as the City’s preferred conceptual package for the aesthetic development of the Nicollet Mall station.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration the Water Works' ultrafiltration project, now recommends that the proper City officers be authorized to issue a Request for Proposals (RFP) seeking engineering and architectural services for the design and construction management of a 70 million gallon per day ultrafiltration membrane plant at the Columbia Heights Filtration Plant site.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 10, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published August 14, 2001)

T&PW - Your Committee recommends that the proper City officers be authorized and directed to enter into a cooperative agreement with the Metropolitan Council – Environmental Services for the construction of 1-MN-320 sanitary sewer interceptor between the intersection of Cedar Lake Road at 2nd Av N to the intersection of Lyndale Av N at 8th Av N, with funding for the City's portion of the project costs payable from the Public Work - Sewer Construction Capital budget (7300-932-9322).

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends that the proper City staff be directed to work with the Metropolitan Council, the Minnesota Department of Transportation (MnDOT) and the Hiawatha Project Office (HPO) to help reach a viable parking arrangement for the businesses on Cedar Av near the light rail transit yards.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

T&PW & W&M/Budget – Your Committee, having been informed that the Public Works Department has five vacant Engineer II positions and one vacant Engineer II 1/2 position and is requesting authority to offer above a Step 3 salary to hire the best-qualified candidates in a very competitive field, now recommends that the Public Works Department be authorized to offer up to Step 7 for said positions, with the approval of the Human Resources Department.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration traffic calming measures proposed by the Cedar Isles Dean Neighborhood, now recommends:

1. Approval to install speed humps at the following locations, to be funded by the Neighborhood Revitalization Program (NRP):

- A pair of speed humps on Drew Av S between W 28th St, Sunset Boulevard and Cedar Lake Av;

- A pair of speed humps on Ewing Av S between W Lake St and Drew Av S;
- A speed hump on Drew Av S between W Lake St and Ewing Av S;
- A speed hump on Drew Av S between Ewing Av S and Sunset Boulevard;

2. Passage of the accompanying resolution increasing the Public Works - Transportation Capital appropriation by \$13,500 and increasing the revenue source to reflect that funding for the improvements will be provided through the Cedar Isles Dean NRP.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-365

By Mead & Campbell

Amending The 2001 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW - Transportation Capital Agency in the Permanent Improvement Projects Fund (4100-943-9440) by \$13,500 and increasing the revenue source (4100-943-9440 - Source 3845) by \$13,500, for Cedar Isles Dean Neighborhood traffic calming measures.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001. J. Cherryhomes, President of Council.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee having under consideration the Areaway Abandonment at 115 Washington Av N (in accordance with the Washington Av N Reconstruction Project, Special Improvement of Existing Street No. 6600), Property Identification No. 22-029-24-41-0065 and legally described as the NWLY 22 ft of SELY 44 ft of Lot 8, Block 55, Town of Minneapolis, now recommends passage of the accompanying Resolutions:

a. Receiving the cost estimate of \$50,000, receiving the petition from the owner of the benefited property, and ordering the City Engineer to proceed and do the work and adopting the special assessments in the total amount of \$50,000;

b. Increasing the appropriation in the Public Works Paving Construction Agency by \$50,000 to provide funding for the project; and

c. Requesting the Board of Estimate and Taxation to issue and sell bonds in the amount of \$50,000 for certain purposes other than the purchase of public utilities.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-366

By Mead & Campbell

Areaway Abandonment at 115 Washington Av N in the Washington Av N Reconstruction Project, Special Improvement of Existing Street No. 6600

Designating the locations and improvements and ordering the work to proceed for the areaway abandonment and removal as contained in a petition from Jay D. Coatta and Thomas R. Oslund, property owners, dated July 24, 2001.

Whereas, the City of Minneapolis has scheduled reconstruction and street lighting improvements during 2001 in the Washington Av N Reconstruction area of Minneapolis; and

Whereas, there are areaways located in the public street r/w that are in conflict with said reconstruction and street lighting installation; and

Whereas, a public hearing was held on September 21, 2000 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Sections 24.180 and 95.90 of the Minneapolis Code of Ordinances to consider the proposed abandonment and removal of above mentioned areaways; and

Whereas, it is proposed to abandon and remove the areaway that encroaches into the Washington Av N right-of-way adjoining said property as petitioned by Jay D. Coatta and Thomas R. Oslund, property owners;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered and directed to abandon and remove the conflicting areaways as located in the public street r/w adjoining the property along 115 Washington Av N (Property ID No 22-029-24-41-0065).

Be It Further Resolved that the cost estimate of \$50,000 for the abandonment and removal be received.

Be It Further Resolved that the petition submitted by the owners of the benefited property (Jay D. Coatta and Thomas R. Oslund) be received.

Be It Further Resolved that the proposed special assessments in the total amount of \$50,000 as on file in the Office of the City Clerk be and hereby are adopted and assessed against the benefited property.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments may be paid shall be fixed at twenty (20) and that interest be charged at the same rate as assessment bonds are sold for with collection of the special assessments to begin on the 2002 real estate tax statement.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001. J. Cherryhomes, President of Council.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-367

By Mead & Campbell

Amending The 2001 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW - Streets and Malls Capital Agency in the Permanent Improvement Projects Fund (4100-937-9374) by \$50,000 and increasing the revenue source (4100-937-9374-3880) by \$50,000, for removal of the areaway at 115 Washington Av N to be paid by special assessment.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001. J. Cherryhomes, President of Council.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-368

By Mead & Campbell

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$50,000 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost areaway abandonment at 115 Washington Av N in the Washington Av N Reconstruction Project, Special Improvement of Existing Street No. 6600, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001. J. Cherryhomes, President of Council.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration the City's Flood Mitigation Program and State grant funding that may be available to assist with certain projects, now recommends that the proper City officers be authorized to submit the following grant applications to the Minnesota Department of Natural Resources seeking funding through the Flood Damage Reduction Grant Assistance Program:

1. A request for matching funds for Flood Mitigation Project #1 (42nd Av N and Russell Av N Flood Pond) in the amount of \$2,000,000 (total project cost of \$4,000,000); and

2. A request for matching funds for Flood Mitigation Project #37 (Logan Av N Flood Pond) in the amount of \$2,000,000 (total project cost of \$7,250,000).

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having been informed of the request of Hennepin County Medical Center for installation of sidewalk, drive approach, curb and gutter adjacent to the Medical Center, now recommends passage of the accompanying resolution increasing the Public Works - Streets & Malls Capital Agency by \$50,000 to provide funds for said concrete work, to be reimbursed to the City by Hennepin County immediately upon completion of the work.

Your Committee further recommends that the proper City officers be authorized to extend the contract with Standard Sidewalk (District 1) by \$50,000.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-369

By Mead & Campbell

Amending The 2001 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW - Streets & Malls Capital Agency in the Permanent Improvement Projects Fund (4100-937-9390) by \$50,000 and increasing the revenue source (4100-937-9390 - Source 3740) by \$50,000.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001. J. Cherryhomes, President of Council.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee recommends acceptance of low bid received on OP #5671 (Petr No 267174) submitted by Spiniello Companies, in the amount of \$105,156, to furnish and deliver all labor, materials, equipment and incidental necessary for cleaning and lining of a 24 inch cast iron water main, all in accordance with City specifications.

Your Committee further recommends that the proper City officers be authorized to execute a contract for said project/service.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration previous authorization for City participation in the Agreement for Skyway Construction, Operation, Maintenance, and Easements for the skyway between LaSalle Plaza and the Hennepin at 10th Ramp (to be executed with the University of St. Thomas, Joint School District No. 6069, LaSalle Associates LLP, Baker & Associates, Inc. and EOP-LaSalle Plaza LLP), now recommends that authorization to execute said agreement be amended to include terms that the City will pay to LaSalle Associates an amount not to exceed \$21,300 for air rights, payable from the project budget.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **WAYS & MEANS/BUDGET** Committee submitted the following reports:

W&M/Budget - Your Committee recommends that the City Attorney be authorized to execute a release of claims and settlement document and to execute other documents and actions as are necessary to settle the lawsuit of Dennis C. Williams, Sr., et al, vs. the City of Minneapolis, et al, in the amount of \$16,000, payable from the Liability Agency in the Self Insurance Fund (6900-150-1500-4000), to be paid as follows:

- a) \$10,000 payable to Dennis C. Williams, Sr., and his attorney, Robert Gardner;
- b) \$1,000 payable to Dennis Williams, Jr., and his attorney, Robert Gardner;
- c) \$1,000 payable to Ruben Childs and his attorney, Robert Gardner;
- d) \$2,000 payable to Dennis C. Williams, Sr., as parent and natural guardian of Quinton Williams and Reginald Childs, minors, and his attorney, Robert Gardner; and
- e) \$2,000 payable to Rebecca Davis, as parent and natural guardian of Kash Ware and Showin Davis, minors, and her attorney, Robert Gardner.

Adopted. Yeas, 11; Nays none

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval of policy amendment(s) to the City's "Labor Relations Donation Program for Serious Illness Guidelines," with a retroactively effective date of June 1, 2001, as more fully set forth in Petr No 267181 on file in the Office of the City Clerk.

Adopted. Yeas, 11; Nays none

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute change orders to the following contracts for additional work required on the Convention Center Project, payable from the Convention Center Site Agency in the Permanent Improvement Projects Fund (4100-975-9751):

- a) Change Order #3 to Contract #14492 with Gage Brothers Concrete Products, Inc, increasing said contract by \$23,804, for a new contract total of \$1,311,942;
- b) Change Order #3 to Contract #14689 with W. L. Hall Company, increasing said contract by \$20,597, for a new contract total of \$1,905,214;
- c) Change Order #3 to Contract #15235 with Minuti-Ogle Company, Inc., increasing said contract by \$88,543, for a new contract total of \$9,775,076;
- d) Change Order #3 to Contract #15024 with Shaw-Lundquist Associates, Inc., increasing said contract by \$7,696, for a new contract total of \$3,758,182;
- e) Change Order #6 to Contract #15023 with Shaw-Lundquist Associates, Inc., increasing said contract by \$39,331, for a new contract total of \$6,805,973;
- f) Change Order #10 to Contract #13978 with Marcy Construction Company, increasing said contract by \$204,496, for a new contract total of \$5,132,791.13;
- g) Change Order #6 to Contract #15156 with Kellington Construction, Inc., increasing said contract by \$55,748, for a new contract total of \$18,323,919; and
- h) Change Order #6 to Contract #15236 with Harris Mechanical, increasing said contract by \$48,219, for a new contract total of \$16,701,925.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 10, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published August 14, 2001)

W&M/Budget - Your Committee recommends that the Minneapolis Park and Recreation Board be authorized to submit four grant applications to the Minnesota Prevention and Intervention Initiative, seeking grant funds for the following youth enrichment and crime prevention initiatives:

- a) Water Safety Education for New Immigrant Populations, including a public relations campaign, comprehensive swimming lessons and water safety instructions, seeking \$310,000;
- b) City Children Cultural Arts Connection, in conjunction with the Minneapolis Institute of Arts, seeking \$180,000;
- c) Computer Outreach and Technology Access to Children, establishing computer labs at Folwell, Logan, Longfellow and Bottineau Community Centers and teaching computer skills, seeking \$270,000; and
- d) Positive After School Connections for At-Risk Youth, connecting youth participants to positive and healthy activities through adult mentors, seeking \$218,700.

Adopted. Yeas, 11; Nays none

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the City Coordinator execute a contract with Marketline Research, Inc., to design and conduct a random telephone survey of Minneapolis residents, in an amount not to exceed \$60,000, payable from the City Coordinator Agency in the General Fund (0100-840-8401).

Adopted. Yeas, 11; Nays none

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval of a request from the Minneapolis Park and Recreation Board and the Public Works - Engineering Services Department to insert in the September, 2001 utility bills a message informing residents that leaves and debris in the street negatively impact the water quality of the City's lakes, rivers, and streams, with the understanding that City departments are not charged an insertion fee.

Adopted. Yeas, 11; Nays none

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends classifying a new position as Bilingual Program Aide, allocated to Grade 6 of the Community Services Promotional Line, to be retroactively effective June 29, 2001.

Your Committee further recommends passage of the accompanying Salary Ordinance setting the salary for said position, based on studies conducted by the Department of Human Resources.

Your Committee further recommends that summary publication of the above-described ordinance be authorized.

Adopted. Yeas, 11; Nays none

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-095, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of Bilingual Program Aide, was passed August 10, 2001 by the City Council and approved August 16, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2001-Or-095
By Campbell
1st & 2nd Readings: 8/10/2001

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

The City Council of the City of Minneapolis do ordain as follows:

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes:

AFSCME LOCAL 9 (CAF)
Effective June 29, 2001

Job Code	Salary Grade	FLSA OTC	Classification title	3-Month P	rate	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
01290C	6	N2	Bilingual Program Aide	H	14.643	15.578	16.348	17.171	18.021	18.925	19.854	20.851

Section 2: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes:

AFSCME LOCAL 9 (CAF)
Effective January 1, 2002

Job Code	Salary Grade	FLSA OTC	Classification title	P	3-Month rate	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
01290C	6	N2	Bilingual Program Aide	H	15.119	16.084	16.879	17.729	18.607	19.540	20.499	21.529

Adopted. Yeas, 11; Nays none.
 Absent - Thurber.
 Passed August 10, 2001. J. Cherryhomes, President of Council.
 Approved August 16, 2001. S. Sayles Belton, Mayor.
 Attest: M. Keefe, City Clerk.

The **ZONING & PLANNING** Committee submitted the following reports:

Z&P – Your Committee, having under consideration the application of Joseph Slavec and Gregory Reitan (BZP-98) to rezone property at 5700 Nicollet Av from the R2B to the R5 district to permit expansion of an existing four-unit dwelling to a five-unit multi-family dwelling, now concurs in the recommendation of the Planning Commission to adopt the related findings set forth in Petn No 267187 and to approve said application. (64389).

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code and publication of the ordinance in summary form.

Adopted. Yeas, 11; Nays none.
 Absent - Thurber.
 Passed August 10, 2001.
 Approved August 16, 2001. S. Sayles Belton, Mayor.
 Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-096, amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 5700 Nicollet Av to the R5 district, was passed August 10, 2001 by the City Council and approved August 16, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2001-Or-096
By McDonald
1st & 2nd Readings: 8/10/2001

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

A. That part of Lot 1 Hunter's Park Mpls., MN an addition to Minneapolis (5700 Nicollet Av - Plate 37) to the R5 District.

Adopted. Yeas, 11; Nays none.
 Absent - Thurber.

Passed August 10, 2001. J. Cherryhomes, President of Council.
Approved August 16, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the application of James Larson (BZZ-93) to rezone property at 1805 3rd Av S from the R3 to the OR3 district to permit conversion of an existing 15-unit rooming house to a 15-unit apartment building, now concurs in the recommendation of the Planning Commission to adopt the related findings set forth in Petn No 267187 and to approve said application. (64390).

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code and publication of the ordinance in summary form.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-097, amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 1805 3rd Av S to the OR3 district, was passed August 10, 2001 by the City Council and approved August 16, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2001-Or-097
By McDonald
1st & 2nd Readings: 8/10/2001

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

A. That part of Lot 010, Block 020, Jackson Daniels and Whitneys Addition (1805 3rd Av S - Plate 20) to the OR3 District.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001. J. Cherryhomes, President of Council.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee, having under consideration the appeal of Paul and Gloria Spohn on behalf of Keewaydin Auto from the decisions of the City Planning Commission

a) approving with conditions a site plan for a used automobile sales lot at 5022 34th Av S (SP-274),

b) denying a variance of the west side yard setback from 5 ft to 0 ft to allow display of vehicles (Z-82), and

c) approving a variance of the required distance between an outdoor sales and display area and a residence district on the west lot line from 20 ft to 5 ft, also to allow display of vehicles (Z-82), and appellant seeking removal of the conditions and a zero ft setback on the west lot line; and your Committee having conducted a public hearing thereon, now recommends that the site plan dated July 23, 2001 with 6" x 6" curbing, on file in Petn No 267186, be approved; that Planning Commission condition No. 1 providing that paved surfaces shall be removed and replaced with turf in the area between the

sidewalk and Keewaydin Place be deleted from site plan approval, and likewise, that condition No. 3 providing that the parking and vehicle display areas shall be separated from the residence district to the west by a landscaped area not less than 5 ft in width, be deleted; in effect, granting a partial appeal of the conditions of site plan approval and granting the appeals on the two variances, notwithstanding the decision of the Planning Commission.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee, having under consideration the appeal of Manuel Moreno from the decision of the Board of Adjustment denying variance of the maximum permitted area of an accessory structure from 676 sq ft to 858 sq ft to permit a 26 ft by 33 ft detached garage and denying variance of the maximum permitted width of a driveway from 25 ft to 33 ft (BZZ-129), and having conducted a public hearing thereon, now recommends that the appeal be granted notwithstanding the decision of the Board of Adjustment. (Petr No 267185)

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee, having under consideration the appeal of University of St Thomas from the decision of the Heritage Preservation Commission denying applications for Certificates of Appropriateness to permit demolition of the following five properties:

- a. 44 S 12th St - MinneStorage Building;
- b. 48 S 12th St - Humphrey Radiator Building;
- c. 36 S 12th St - Cavanaugh Apartments;
- d. 1112 Harmon Place - Opening Night Building; and
- e. 52 S 12th St - MacPhail Annex;

and having conducted a public hearing thereon pursuant to Section 599.190 of the Minneapolis Code of Ordinances, now recommends that the appeal be granted and the Certificates be approved. (Petr No 267184)

Adopted. Yeas, 10; Nays none.

Declining to Vote - Goodman.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee, having under consideration the appeal of University of St Thomas from the decision of the Heritage Preservation Commission (HPC) approving with conditions the application for a Certificate of Appropriateness to allow construction of a parking garage at 1100, 1112 and 1118 Harmon Place, and St Thomas appealing specifically Condition 4 of the mitigation plan for the Milnor Garage providing that the design should be modified to diminish its architectural importance with final design to be approved by HPC staff, and that portion of Condition 8 providing that the brick, precast stone, precast panels, and spandrel glass must be approved by the HPC staff; and having conducted a public hearing thereon pursuant to Section 599.190 of the Minneapolis Code of Ordinances, now recommends that the appeal on Condition 4 be granted and that the appeal on Condition 8 be denied. (Petr No 267184)

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee, having under consideration the appeal of University of St Thomas from the decision of the Heritage Preservation Commission denying the application for a Certificate of Appropriateness for construction of a 156-space surface parking lot in the block bounded by Harmon Place, S 12th St, LaSalle Av and S 11th St, and having conducted a public hearing thereon pursuant to Section 599.190 of the Minneapolis Code of Ordinances, now recommends that the appeal be granted and the Certificate be approved. (Petn No 267184)

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Motions

Campbell, Chair of the Ways & Means/Budget Committee, moved that the regular payrolls for all City employees under City Council jurisdiction for the month of September, 2001, approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Cherryhomes moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Paulette Ajavon for a residential block event to be held Saturday, August 11, 2001, between the hours of 5:00 and 10:00 p.m. on the alley between 1500 and 1514 Fremont Avenue North, having approval granted by the Public Works Department to grant said waiver. Seconded.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Lane moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Judy Gordhamer for a residential block event to be held Saturday, August 11, 2001, between the hours of 5:00 and 10:00 p.m. on West 45th Street between Washburn and Vincent Avenues South, having approval granted by the Public Works Department to grant said waiver. Seconded.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Mead moved to waive the 30-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Simone Gbolo for Target Market for a business district block event to be held Saturday, August 25, 2001, between the hours of 10:00 a.m. and 7:00 p.m. on Lake Street East between Columbus and Park Avenues South, having approval granted by the Public Works and Police departments to grant said waiver. Seconded.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

McDonald introduced the subject matter of an ordinance amending the Minneapolis Code of Ordinances relating to the regulation of phosphorous lawn fertilizers, which was given its first reading and referred to the Public Safety & Regulatory Services Committee.

Campbell moved that the City Council authorize Council Member Mead to provide supervision of Eighth Ward staff, and review and recommend actions relating to the Eighth Ward to the City Council in order to maintain constituent services until the Eighth Ward Council Member vacancy is filled pursuant to Minneapolis Charter Chapter 2, Section 16.

Campbell further moved that the action of the City Council of January 3, 2000, relating to the organization of the City Council be amended as follows:

COMMITTEE ASSIGNMENTS

Health & Human Services: Lane, Cherryhomes, Niland, Biernet, Johnson

Intergovernmental Relations: Thurber, Cherryhomes, Campbell, Johnson, Goodman, Lane

Public Safety: Biernet, Colvin Roy, Thurber, McDonald, Ostrow

COMMITTEE VICE-CHAIRS

Health & Human Services: Vacant

APPOINTMENT OF COUNCIL MEMBERS TO BOARDS & COMMISSIONS

Youth Coordinating Board: Cherryhomes

Youth Trust: Vacant.

Seconded.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Unfinished Business

Marchant Investment & Management Co. Inc: Passage of Resolution vacating 18th St NE between University Av & 2nd St to permit Bottineau Commons; Authorize summary publication. (Postponed 6/22/2001, Z&P)

Z&P - Your Committee, having under consideration the application of Marchant Investment & Management Company Inc (Vac #1346) to vacate all that part of 18th Av NE between 2nd St NE and University Av NE to permit a 123 unit apartment building and 13 townhomes (Bottineau Commons), now concurs in the recommendation of the Planning Commission to adopt the findings set forth in Petn No 267059 and to grant said vacation, subject to retention of easement rights by the City of Minneapolis.

Your Committee further recommends passage of the accompanying resolution vacating said street and summary publication of the resolution.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2001R-370 entitled "Vacating all that part of 18th Avenue NE between 2nd Street NE and University Avenue NE (Vac #1346)," was passed August 10, 2001 by the City Council and approved August 16, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2001R-370

By McDonald

Vacating all that part of 18th Avenue NE between 2nd Street NE and University Avenue NE (Vac #1346).

Resolved by The City Council of The City of Minneapolis:

That all that part of 18th Avenue NE in the City of Minneapolis, lying between the South line of Blocks 10 and 11 and the North line of blocks 14 and 15, Bottineau's Second Addition to the Town of St. Anthony is hereby vacated, subject to the reservation of a Recreational Trail easement in favor of the City of Minneapolis, their successors and assigns, over, under, upon and through that portion of the aforescribed street which is described as follows, to wit:

That part of vacated 18th Avenue Northeast right-of-way bound by the west right-of-way line of 3rd Street Northeast to the east and the east right-of-way line of 2nd Street Northeast to the west, City of Minneapolis, County of Hennepin, Minnesota described as follows: Commencing at the southeast corner of Lot 1, of Block 11 of Bottineau's 2nd Addition; thence S 00°06'51"W, and a distance of 43.79 feet to the point of beginning; thence S 00°06'51" W, and a distance of 15.00 feet; thence S 90°00'00" W, and a distance of 299.27 feet; thence S 54°14'08" W, and a distance of 12.33 feet; thence S 90°00'00" W, and a distance of 20.66 feet; thence N 00°07'56" E, and a distance of 4.65 feet; thence N 53°01'32" E, and a distance of 29.20 feet; thence N 90°00'00" E, and a distance of 306.63 feet to the point of beginning.

And also that part of vacated 18th Avenue Northeast right-of-way bound by the west right-of-way line of University Avenue Northeast to the east and the east right-of-way line of 3rd Street Northeast to the west, City of Minneapolis, County of Hennepin, Minnesota described as follows: Commencing at the southeast corner of Lot 1, of Block 10 of Bottineau's 2nd Addition; thence S 00°01'56" W, and a distance of 13.69 feet to the point of beginning; thence S 00°01'56" W, and a distance of 52.31 feet; thence S 90°00'00" W, and a distance of 330.34 feet; thence N 00°06'51" E, and a distance of 33.00 feet; thence N 90°00'00" E, and a distance of 268.39 feet; thence N 72°41'46" E, and a distance of 64.91 feet to the point of beginning.

Adopted. Yeas, 11; Nays none.

Absent - Thurber.

Passed August 10, 2001. J. Cherryhomes, President of Council.

Approved August 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Arnold Gregory: Passage of Resolution vacating alley bounded by 1st Av NE, 2nd Av NE, Main St NE & 2nd St NE to permit condominiums & townhomes in residential development. (Postponed 7/13/2001, Z&P)

By unanimous consent, the above report continued to be postponed.

Cherryhomes moved that when this Council adjourns, it adjourns to Monday, August 20, 2001, in Room 132 City Hall, immediately following the Ways & Means/Budget Committee adjournment, and that such meeting be and is hereby declared to be an adjourned session of the regular meeting of August 10, 2001, for the purpose of discussing the recommendations of the Library Implementation Committee. Seconded.

Adopted upon a voice vote.

Adjourned.

MERRY KEEFE,
City Clerk.

Created: 8/14/2001;
Modified: 8/17/01; 9/11/01